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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,281	09/22/2000	Johannes Edenhofer	GR 99 P 2886 US	1198

7590 02/28/2003  
Lerner And Greenberg PA  
Post Office Box 2480  
Hollywood, FL 33022-2480

EXAMINER

TA, THO DAC

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/667,281

Applicant(s)

EDENHOFER ET AL.

Examiner

Tho D. Ta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,7-12 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,7-12 and 17-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12. 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. In view of the appeal brief filed on 11/27/02, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

#### ***Information Disclosure Statement***

2. Please provide a copy of the article mentioned on page 2, lines 1-4 of the specification.

#### ***Drawings***

3. The drawings are objected to because it is unclear how the conducting surface of the plastic member is disposed at a respective spacing distance from the contact pins if the pins embedded in the plastic member. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 7 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The drawing (specially fig. 3) and the specification do not disclose how the conducting surface of the plastic member is disposed at a respective spacing distance from the contact pins if the pins embedded in the plastic member. **For purpose of examination, Examiner assumes that the conducting surface is an electrically conductive plate which is attached to the rear side of the plastic member and there is a spacing distance between the plate and the pin (the portion of the pin which extending from the plastic member for mounting to PCB).**

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 7-11, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinkaid (3,264,599) in view of Wanger et al. (5,280,467).

Kinkaid discloses a plug-in connector comprising: a plastic member 2 and contact pins 12 embedded in the plastic member 2.

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However, Kinkaid's plastic member 2 does not include a material being a mixture of a plastic and a carbon powder, having conductive properties in order to prevent electrostatic discharge. Thus, Kinkaid's plastic member 2 is susceptible to electrostatic discharge which cause damage to sensitive electronic components during mating with a mating connector 6.

Wanger et al. teaches the use of thermoplastics such as polypropylene (crystalline component) which have been impregnated with carbon powder (non-crystalline component), e.g. 8-12 percent carbon powder (column 6, lines 44-64) in order to allow dissipation of static electricity to prevent damaging static discharge into sensitive electronic components (column 3, lines 55-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kinkaid invention by constructing the plastic member 2 as taught by Wanger et al. in order to protect the sensitive electronic components (mounted on PCB 4) from damage due to electrostatic discharge during mating with connector 6.

8. Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinkaid and Wanger et al. as applied to claims 1 and 11 above, and further in view of Bauer (5,161,991).

Kinkaid as modified by Wanger et al. has been discussed above.

Kinkaid does not an electrically conductive plate which is attached to the bottom side of the plastic member 2 and there is a spacing distance between the plate and the

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pin 18 (the portion of the pin which extending from the plastic member 2 for mounting to PCB 4).

Bauer discloses an electrically conductive plate 22 which is attached to the bottom side of the plastic member 12 and there is a spacing distance 24 between the plate and the pin 18 (the portion of the pin which extending from the plastic member 2 for mounting to PCB ) in order to provide an ESD protection (columns 1 and 2)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Kinkaid invention by constructing the plastic member 2 as taught by Bauer in order to provide an additional ESD protection device and to protect the sensitive electronic components (mounted on PCB 4) from damage due to electrostatic discharge during mating with connector 6.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1, 2, 7-12 and 17-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (703) 308-0800. The examiner can normally be reached on M-F (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.



**THO D. TA  
PRIMARY EXAMINER**



**P. AUSTIN BRADLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800**

tdt  
February 24, 2003